

Appl. No. 10/055,255
Response dated November 20, 2003

REMARKS

Claims 1-38, including new claims 28-38, are pending.

In the Office Action mailed May 20, 2003, the Examiner rejected pending independent claims 1 and 27 as being obvious in view of US Patent No. 6,078,961 to Mourad et al. (hereinafter Mourad) and US Patent No. 5,583,561 to Baker et al (hereinafter Baker). The applicant's undersigned agent wishes to take this opportunity to thank the Examiner for his time and careful consideration of the application during a telephone interview of November 5.

As discussed with the Examiner, the applicant respectfully disagrees that presented independent claims are obvious in view of Mourad and Baker. As claimed, a computing device that is physically separate from a media receiver is used to cause a media receiver to be tuned to present content-on demand. This is accomplished by providing an identifier of the subscriber with the 'content on demand, as claimed in claim 1. This allows the cable operator to determine which media receiver needs to be tuned so that content on demand can be delivered to the requesting subscriber and to tune the media receiver by way of the cable television network.

In stark contrast, the system of Mourad provides content at a computing device that is identical to the device on which the content is ordered (see FIG. 2, element 14 of Mourad). No remote media receiver needs to be tuned, and viewing the content on a media receiver different from the computing device is not contemplated. As no remote media receiver is to be tuned, there is no motivation to combine features of Baker with the user the system of Mourad. Moreover, although Baker discloses use of a decoder, the Examiner has failed to identify portions of Baker that explicitly disclose tuning of the decoder of Baker over the cable network to receive the content.

As disclosed, the inventor of the present application has recognized that use of a computing device separate from a media receiver to place orders for content on-demand over a cable television network allows simplification of the media receiver

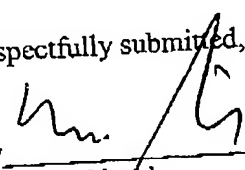
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(typically in the form of a set top box), easier access to the content on demand service, and a richer user interface. None of this is disclosed or suggested by Mourad or Baker. As such, it is respectfully submitted that a combination of Mourad and Baker would not lead a person of ordinary skill to the claimed invention. Withdrawal of the rejection of independent claims 1 and 27, and those claims dependent thereon, is respectfully requested.

New claims 28-38 are presented for consideration by the Examiner. It is believed that these claims too are in condition for allowance.

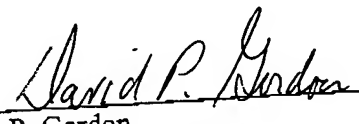
No new matter has been added by these amendments. In view of the foregoing, favourable reconsideration and allowance of the application are earnestly solicited.

Respectfully submitted,

By 
Matthew Zischka
Registration No. 41,575

SMART & BIGGAR
438 University Avenue
Suite 1500, Box 111
Toronto, Ontario, Canada M5G 2K8

Tel: 416-593-5514 / Fax: 416-591-1690

By 
David P. Gordon
Registration No. 29,996

GORDON & JACOBSON, P.C.
65 Woods End Road
Stamford, CT 06905

Tel: 203-329-1160 / Fax: 203-329-1180

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